

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

JOSE PAZ GARCIA

VS.

UNITED STATES OF AMERICA

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

DEC 29 2020

CLERK, U.S. DISTRICT COURT
By Deputy 

NO. 3-95-CR-0264-P(01)

MOTION FOR RECONSIDERATION FOR A COMPASSIONATE RELEASE

To the Honorable Judge of said Court:

Comes now Jose Paz Garcia, the petitioner, pro se, and respectfully moves this Honorable Court pursuant to 3582(c) to grant a Compassionate Release. In support thereof, Petitioner will show this Court as follows:

I

STATEMENT OF JURISDICTION

Because of the recent implementation of the CARES Act, petitioner should be allowed to address this Honorable Court without having to exhaust all of the BOP's remedy process which gives this Court jurisdiction in this matter.

II

STATEMENT OF THE CASE

On May 13, 1995, Petitioner was arrested and subsequently charged with Conspiracy to Possess with Intent to Distribute Marijuana. To which ultimately the Petitioner plead guilty. On December 18, 1996, Petitioner was sentenced by the Honorable Judge Solis to a term of life imprisonment to which he has now served more than twenty-five (25) years and now seeks a Compassionate Release.

III

REASONS FOR SEEKING RELEASE

Petitioner seeks a Compassionate Release first for the sake of his family. Petitioner has lost his mother, who passed in 2017, his father in 2006 and a daughter that passed away in 2004. Petitioner has a very loving wife that has stood by him this entire term one that has never stopped praying that something would take place in the courts that would send her husband home to her. All the while, it is taking all the fight that she can gather, so that she might be able to continue to fight a fight that she has been in for the past fifteen (15) years. She has been fighting breast cancer, and she is now in the early stages of Alzheimer's disease. Petitioner also has a daughter that is fighting for her life with a liver disease, because there was a cancer found in her blood.

Petitioner is now sixty-seven (67) years of age. He is now at the age bracket to which the Compassionate Release for prisoners was first established. Petitioner asks that this Honorable Court would also take into account that the fact is if the Petitioner was being sentenced today, he would in no way be subjected to a prison term of which he is now serving.

Petitioner prays that this Honorable Court would also consider petitioner's record of conduct while serving his sentence. Ultimately Petitioner prays that this Honorable Court would grant him a Compassionate Release.

Wherefore, based on the above Jose Paz Garcia respectfully moves this Honorable Court grant a Compassionate Release.

Respectfully Submitted, this 22 Day of 2020

A handwritten signature in cursive ink, appearing to read "Jose Paz Garcia", is written over a horizontal line.

JOSE PAZ GARCIA

Pro Se Representation

**Individualized Reentry Plan - Program Review (Inmate Copy)**

SEQUENCE: 00024896

Dept. of Justice / Federal Bureau of Prisons

Team Date: 07-08-2020

Plan is for inmate: GARCIA, JOSE PAZ 00811-079

Facility: POM POLLOCK MED FCI

Proj. Rel. Date: UNKNOWN

Name: GARCIA, JOSE PAZ

Proj. Rel. Mthd: LIFE

Register No.: 00811-079

DNA Status: FOM03124 / 05-24-2011

Age: 67

Date of Birth: 01-24-1953

Detainers

Detaining Agency	Remarks
POSSIBLE DEPORTATION; #A34647001	null

Pending Charges

ICE Detainer

Current Work Assignments

Facl	Assignment	Description	Start
POM	UNICOR 6	UNICOR 6	02-25-2020

Current Education Information

Facl	Assignment	Description	Start
POM	ESL EXEMPT	ESL NEED-PERMANENTLY EXEMPT	05-12-1997
POM	GED HAS	COMPLETED GED OR HS DIPLOMA	07-12-2005

Education Courses

SubFacl	Action	Description	Start	Stop
POM	C	PIANO	03-19-2016	06-04-2016
POM	C	LIFESKILLS IN SPANISH	09-08-2014	11-20-2014
POM	C	INMATE IN GUITAR CLASS	10-22-2013	01-07-2014
FOM	C	RELIGIOUS PGM / PERS GRWTH #C6	01-20-2012	01-20-2012
FOM	C	RELIGIOUS PGM / PERS GRWTH #C6	01-13-2012	01-13-2012
FOM	C	RELIGIOUS PGM / PERS GRWTH #C6	10-07-2011	10-07-2011
FOM	C	RELIGIOUS PGM / PERS GRWTH #C6	08-16-2011	08-16-2011
FOM	C	PIANO; REC MUSIC PGM	03-08-2010	07-13-2010
FOM	C	STATIONARY BIKING	09-10-2009	09-10-2009
FOM	C	SWISS BALL CLASS	02-18-2009	03-29-2009
FOM	C	BEGINNING ACOUSTIC GUITAR	01-20-2009	03-28-2009
FOM	C	INTRO TO AEROBIC EXERCISE	11-14-2008	01-01-2009
FOM	C	SPECIAL NEEDS EXERCISE	08-07-2008	09-11-2008
FOM	C	BEGINNING BASS GUITAR	04-01-2008	06-16-2008
FOM	C	ACCORDIAN CLASS	07-09-2007	09-18-2007
FOM	C	INTERMEDIATE ACOUSTIC GUITAR	04-03-2007	07-02-2007
FOM	C	ACCORDIAN CLASS	04-23-2007	07-02-2007
FOM	C	BEGINNING ACOUSTIC GUITAR	02-01-2007	03-31-2007
FOM	W	RECREATION BEGINNING GUITAR	01-01-2007	02-01-2007
FOM	C	RECREATION INTERMEDIATE GUITAR	10-09-2006	12-28-2006
FOM	C	SPEED WALKING	10-31-2006	12-25-2006
FOM	C	REAL ESTATE 7-8P R	10-04-2006	12-06-2006
FOM	W	BASIC ESL 7:30-9 M-F	08-24-2006	11-29-2006
FOM	C	INVESTMENTS	07-10-2006	09-11-2006
FOM	W	BAS ESL 9-10:30 M-F	04-03-2006	08-24-2006
FOM	C	RECREATION SPANISH GUITAR	04-06-2006	08-06-2006
FOM	C	RECREATION BEGINNING SAX	04-06-2006	08-06-2006
FOM	C	RECREATION MUSIC THEORY	04-06-2006	08-06-2006
FOM	C	STOCKS BONDS 6-7PM R	04-03-2006	05-23-2006
FOM	C	ASTRONOMY 6-8PM M	04-03-2006	05-01-2006
FOM	W	RECREATION BEGINNING SAX	01-03-2006	03-31-2006
FOM	C	RECREATION SPANISH GUITAR	01-03-2006	03-31-2006
FOM	W	BASIC ESL 7:30-9 M-F	12-01-2005	04-03-2006
FOM	C	BUSINESS 6-7 PM T	01-18-2006	03-22-2006

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SEQUENCE: 00024896

Dept. of Justice / Federal Bureau of Prisons

Team Date: 07-08-2020

Plan is for inmate: GARCIA, JOSE PAZ 00811-079

SubFac	Action	Description	Start	Stop
FOM	C	ENTREPRENEURSHIP 7-8PM M	01-09-2006	03-20-2006
FOM	C	RECREATION INTERMEDIATE GUITAR	09-28-2005	12-24-2005
FOM	C	RECREATION SPANISH GUITAR	09-28-2005	12-24-2005
FOM	C	RPP ORIENTATION	11-02-2005	11-02-2005
BMM	C	BEG. SPANISH GUITAR	07-20-2005	09-22-2005
BMP	C	LEGAL RESEARCH, SUN. 1:30 PM	06-27-2004	09-13-2004
BMP	W	BEGINNING CROCHET, SATURDAYS	04-09-2003	07-17-2003
BMP	C	BEGINNING LEATHER CLASS	04-18-2003	07-17-2003
BMP	W	SPANISH GED 1:30-3:30 PM	02-10-2002	10-23-2002
BMP	W	SPANISH GED 230-330 PM	05-29-2001	02-10-2002
BMP	W	VOLUNTARY ESL CLASS, EVENINGS	02-07-2000	07-01-2000
BMP	C	ADV TYPING 2:30-3:30	02-15-2000	03-15-2000
BMP	C	TYPING MON-FRI 1:30 - 2:30PM	01-18-2000	02-12-2000
BMP	W	ENGLISH M-F 8:00-10:00AM	02-10-1998	04-27-1999
LVN	W	ESL BEGINNING LEVEL I MULLER	11-17-1997	11-28-1997
LVN	W	ESL BEGINNING LEVEL I MULLER	03-04-1997	05-07-1997

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
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** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **

Current Care Assignments

Assignment	Description	Start
CARE1	HEALTHY OR SIMPLE CHRONIC CARE	12-28-2004
CARE1-MH	CARE1-MENTAL HEALTH	07-09-2010

Current Medical Duty Status Assignments

Assignment	Description	Start
PAPER	LEGACY PAPER MEDICAL RECORD	12-04-2018
REG DUTY	NO MEDICAL RESTR--REGULAR DUTY	08-20-2009
YES F/S	CLEARED FOR FOOD SERVICE	06-05-2013

Current Drug Assignments

Assignment	Description	Start
DAP UNQUAL	RESIDENT DRUG TRMT UNQUALIFIED	03-09-2017
DRG E COMP	DRUG EDUCATION COMPLETED	05-25-2001
DRG I NONE	NO DRUG INTERVIEW REQUIRED	01-03-1998

FRP Details**Most Recent Payment Plan**

FRP Assignment: COMPLT FINANC RESP-COMPLETED Start: 02-22-1998

Inmate Decision: AGREED 50% Frequency: MONTHLY

Payments past 6 months: \$0.00 Obligation Balance: \$0.00

Financial Obligations

No.	Type	Amount	Balance	Payable	Status
1	ASSMT	\$100.00	\$0.00	IMMEDIATE	COMPLETEDZ

** NO ADJUSTMENTS MADE IN LAST 6 MONTHS **

Payment Details

Trust Fund Deposits - Past 6 months: \$2,600.19 Payments commensurate ? Y

New Payment Plan:

** No data **

Progress since last review

Continued employment in UNICOR. No educational courses taken.

Next Program Review Goals

Unit Team continues to recommend enrollment in Nutrition or Financial Planning by next review.



Individualized Reentry Plan - Program Review (Inmate Copy)

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Dept. of Justice / Federal Bureau of Prisons

Team Date: 07-08-2020

Plan is for inmate: GARCIA, JOSE PAZ 00811-079

Long Term Goals

Unit Team continues to recommend enrollment in VT Sewing, VT Culinary Arts, ACE CDL or VT Building Trades by 10/2020.

RRC/HC Placement

No.

Criminal alien releasing to custody of ICE.

Comments

Treaty Transfer: Eligible and not interested.

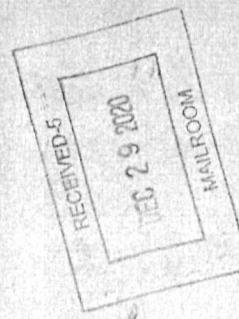
Is there documentation of any of the following?

- Any history of bankruptcy
- No bank account
- No assets nor liabilities noted in PSR
- Debts noted in credit report or other source
- Tax liabilities/ back taxes
- Unpaid alimony/ child support
- Other indication of lack of financial management skills (specify)

The inmate has a financial/poverty skills need.

Four US postage stamps featuring the American flag, each with a different postmark and cancellation mark. The stamps are arranged in a 2x2 grid. The top row shows a vertical postmark 'USPS 10/20/2014' and a circular cancellation mark '2014'. The bottom row shows a vertical postmark 'USPS 10/20/2014' and a circular cancellation mark '2014'. The left column shows a vertical postmark 'USPS 10/20/2014' and a circular cancellation mark '2014'. The right column shows a vertical postmark 'USPS 10/20/2014' and a circular cancellation mark '2014'.

TOSE GARCIA # 00811-079
Federal Correctional Inst
P.O. BOX 4050
Black, L # 71467



59 Filed 12/29/20
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
TEXAS DALLAS DIVISION
1100 COMMERCE STREET ROOM 1457

Dallas TX 75242

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12/22/20

FEDERAL CORRECTIONAL COMPLEX
POLLOCK, LA

DATE:

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YOU. THE LETTER HAD BEEN NEITHER OPENED NOR
INSPECTED. IF THE WRITER PLACES A QUESTION OR
JUDGMENT ON THE LETTER, THE FACILITY HAS
NO WAY OF KNOWING. YOU MAY RESEND TO ANOTHER
MAILING FACILITY. FOR ADDITIONAL INFORMATION OR
CORRECTIONAL FACILITY INFORMATION, CONTACT THE
CORRECTIONAL FACILITY OR THE FEDERAL BUREAU OF INVESTIGATION.